

*serpentina*, in any stage of development.

*State.* The District of Columbia, Puerto Rico, the Northern Mariana Islands, or any State, territory, or possession of the United States.

#### § 301.99-2 Regulated articles.

The following are regulated articles:

- (a) Sapote fruit flies.<sup>2</sup>
- (b) The following fruits and vegetables:

Abiu (*Pouteria caimito*)  
 Apple (*Malus domestica*)  
 Avocado (*Persea americana*)  
 Black sapote (*Diospyros digyna*)  
 Citrus (*Citrus* spp.)  
 Egg-fruit tree (*Pouteria campechiana*)  
 Green sapote (*Pouteria viridis*)  
 Guava (*Psidium guajava*)  
 Hog-plum (*Spondias mombin*)  
 Ketembilla (*Dovyalis hebecarpa*)  
 Lucmo (*Pouteria obovata*)  
 Mammy apple (*Mammea americana*)  
 Mango (*Mangifera indica*)  
 Nance (*Byrsonima crassifolia*)  
 Panama orange (*Citrofortunella x mitis*)  
 Peach (*Prunus persica*)  
 Pear (*Pyrus communis*)  
 Pond-apple (*Annona glabra*)  
 Quince (*Cydonia oblonga*)  
 Red mombin (*Spondias purpurea*)  
 Sapodilla (*Manilkara zapota*)  
 Sapote (*Diospyros* spp.)  
 Star-apple (*Chrysophyllum Cainito*)

Any fruits or vegetables that are not canned or dried or frozen below -17.8 °C. (0 °F.).

(c) Soil within the dripline of plants that are producing or have produced the fruits or vegetables listed in paragraph (b) of this section.

(d) Any other product, article, or means of conveyance not listed in paragraphs (a) through (c) of this section that an inspector determines presents a risk of spreading the sapote fruit fly, after the inspector provides written notification to the person in possession of the product, article, or means of conveyance that it is subject to the restrictions of this subpart.

#### § 301.99-3 Quarantined areas.

(a) Except as otherwise provided in paragraph (b) of this section, the Administrator will list as a quarantined

area in paragraph (c) of this section each State, or each portion of a State, in which the sapote fruit fly has been found by an inspector, in which the Administrator has reason to believe that the sapote fruit fly is present, or that the Administrator considers necessary to quarantine because of its inseparability for quarantine enforcement purposes from localities in which the sapote fruit fly has been found. Less than an entire State will be designated as a quarantined area only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than the entire State as a quarantined area will prevent the interstate spread of the sapote fruit fly.

(b) The Administrator or an inspector may temporarily designate any nonquarantined area in a State as a quarantined area in accordance with paragraph (a) of this section. The Administrator will give a copy of this regulation along with a written notice for the temporary designation to the owner or person in possession of the nonquarantined area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area will be subject to this subpart. As soon as practicable, the area will be added to the list in paragraph (c) of this section or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which designation is terminated will be given notice of the termination as soon as practicable.

(c) The areas described below are designated as quarantined areas: There are no areas in the continental United States quarantined for the sapote fruit fly.

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<sup>2</sup>Permit and other requirements for the interstate movement of sapote fruit flies are contained in part 330 of this chapter.